

The 7th February, 1980

No. DOL/HR/80/18602.—The Governor of Haryana is pleased to select the following persons for the supervision of 167th Draw of Haryana State Lotteries held on 7th February, 1980, at Chandigarh.

1. Mrs. Usha Rajinder Singh,
House No. 288, Sector 16-A,
Chandigarh.
2. Mrs. Ravi Lal,
House No. 2163,
Sector 35, Chandigarh.
3. Mrs. Usha Dhoiwal,
House No. 673, Sector 11-B,
Chandigarh.
4. Shri S. C. Kahlon,
Income Tax Officer,
Chandigarh.
5. Shri H. S. Jaidka,
Accounts Officer,
Office of A. G. Haryana,
Chandigarh.

O. P. TANEJA, IAS,

Director of Lotteries & Deputy
Secretary to Government, Haryana,
Finance Department, Chandigarh.

LABOUR DEPARTMENT

The 15th January, 1980

No. 11(112)-3Lab.-79/610.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947, (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Bareja Eng. Industries Pvt. Ltd. Gurgaon.

BEFORE SHRI GURMESH PARKASH, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD.

Reference No. 1 of 1979.

SHRI CHANDER DEV SAHU, WORKMAN AND
THE MANAGEMENT OF M/S BAREJA
ENGINEERING INDUSTRIES PVT. LTD.
GURGAON.

Present :—

Shri Shardha Nand, for the workman.
Shri M. P. Gupta, for the management.

AWARD

This reference No. 1 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/GGN/46-79 under section 10(i)(c) of the Industrial Disputes

Act for adjudication the dispute existing between Mr. Chander Dev Sahu, Workman and M/s Bareja Engineering Industries Pvt. Ltd., Gurgaon. The term of the reference was :—

"Whether the termination of services of Shri Chander Dev Sahu was justified and in order ? If not, to what relief he is entitled ?

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representative. Today the case was fixed for the framing of the issues when the representative of the workman made a statement that the workman has settled his dispute with the management and now no dispute remains to be adjudicated between the parties. He further stated that the workman do not want to pursue this reference now.

I thus relying on the statement of Shri Shardha Nand hold that the demand raised by the workman against the management leading to this reference has been duly satisfied. There is now no dispute remains to be adjudicated between the parties. In these circumstances

I answer this reference while returning the award in these terms.

Dated the 9th January, 1980.

GURMESH PARKASH,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endst No. 47, dated 9th January, 1980.

Forwarded, (four copies), to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

GURMESH PARKASH,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-3 Lab.-79/611.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947, (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between workmen and the management of M/s Leatherite Industries Ltd., Faridabad.

BEFORE SHRI GURMESH PARKASH, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD.

Reference No. 63 of 1979.

SHRI JWALA PRASHAD SINGH, WORKMAN AND THE MANAGEMENT OF M/S LEATHERITE INDUSTRIES LIMITED, SECTOR-6, FARIDABAD.

Present :—

Shri Jawala Prashad Singh in person.

Shri R. N. Ray, for the management.

AWARD

This reference No. 63 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. FD/103-79, under section 10(i)(c) of the Industrial Disputes Act for adjudication the dispute existing between Mr. Jawala Prashad Singh, workman and M/s Leatherite Industries Limited, Sector-6, Faridabad. The term of the reference was:—

"Whether the termination of services of Shri Jawala Prashad Singh, was justified and in order ? If not, to what relief is he entitled ?

After receiving this reference notices were issued to both the parties and both the parties

appeared before this court through their authorised representative. Today the case was fixed for the framing of the issues when the workman made a statement that he has settled his dispute with the management and now no dispute remains to be adjudicated between the parties. He further stated that he does not want to pursue this reference now.

I thus relying on the statement of Shri Jawala Parshad Singh hold that the demand raised by the workman against the management leading to this reference has been duly satisfied. There is now no dispute remains to be adjudicated between the parties. In the circumstances I answer this reference while returning of the award in these terms.

Dated the 9th January, 1980

GURMESH PARKASH,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endorsement No. 48, dated 9th January, 1980.

Forwarded, (four copies), to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

GURMESH PARKASH,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-3 Lab.-79/612.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947, (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between workmen and the management of M/s Kingslay Rubber Industry, Industrial Area, Faridabad.

BEFORE SHRI GURMESH PARKASH, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD.

Reference No. 17 of 1979.

SHRI BRIJ LAL, WORKMAN AND THE MANAGEMENT OF M/S KINGSLAY RUBBER INDUSTRY, INDUSTRIAL AREA, FARIDABAD.

Present:—

Shri Amar Singh Sharma, for the workman.
None, for the Management.

AWARD

This reference No. 17 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. FD 55-79, under section 10(i)(c) of the Industrial Disputes Act for adjudication the dispute existing between Mr. Brij Lal, workman and M/s Kingslay Rubber Industry, Industrial Area, Faridabad. The term of the reference was:—

Whether the termination of services of Shri Brij Lal was justified and in order ? If not, to what relief is he entitled ?

After receiving this reference notices were issued to both the parties. The workman appeared before this court through his authorised representative Shri R. L. Sharma. No one appeared before this court on behalf of the management despite of the service of the notice of this reference to the management. The order of the ex-parte proceedings against management was passed by me on 11th December, 1979 and the case was fixed for the evidence of the workman.

The workman examined himself as PW 1 and closed his evidence. The workman deposed before this court that he was appointed in this Company on 4th January, 1979 as a Machine Operator and his wages was Rs. 240 P.M. at the time of his termination. He further deposed that he was terminated because he was taking part in union activities and demanding double rate for over-time. He further stated that no chargesheet or notice was ever served to him before termination.

On the other hand the management decided not to contest this reference before this court despite of the service of the notice to them. In the circumstances I see no reason why the oral statement of the workman should not be believed. Hence I hold that the termination of the services of Shri Brij Lal was unjustified and he is entitled for reinstatement on the same terms and conditions with full back wages. I answer this reference while returning the award in these terms.

Dated the 9th January, 1980.

GURMESH PARKASH,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endorsement No. 49, dated 9th January, 1980.

Forwarded (four copies), to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

GURMESH PARKASH,
Presiding Officer,
Labour Court, Haryana,
Faridabad. ;

No. 11(112)-3Lab-79/613.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947, (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between workman and the management of M/s Kingslay Rubber Industry, Industrial Area, Faridabad:—

BEFORE SHRI GURMESH PARKASH, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD.

Reference No. 16 of 1979.

SHRI SHRIMAN NARAIN, WORKMAN AND THE MANAGEMENT OF M/S KINGSLAY RUBBER INDUSTRY, INDUSTRIAL AREA, FARIDABAD.

Present:—

Shri Amar Singh Sharma, for the workman.
None, for the management.

AWARD

This reference No. 16 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. FD/51-79, under section 10(i)(c) of the Industrial Disputes Act for adjudication the dispute existing between Mr. Shriman Narain, workman and M/s Kingslay Rubber Industry, Industrial Area, Faridabad. The term of the reference was:—

Whether the termination of services of Shri Shriman Narain was justified and in order ? If not, to what relief is he entitled ?

After receiving this reference notices were issued to both the parties. The workman appeared before this court through his authorised representative Shri R. L. Sharma. No one appeared before this court on behalf of the management despite of the service of the notice of this reference to the management, the order of the ex-parte proceedings against

management was passed by me on 11th December, 1979 and the case was fixed for the evidence of the workman.

The workman examined himself as PW1 and closed his evidence. The workman deposed before this court that he was appointed in this Company on 19th July, 1975 as a Machine Operator and his wages was 500 P.M. at the time of his termination. He further deposed that he was terminated because he was taking part in union activities and demanding double rate for over-time. He further stated that no chargesheet or notice was ever served to him before termination.

On the other hand the management decided not to contest this reference before this court despite of the service of the notice to them. In the circumstances I see no reason why the oral statement of the workman should not be believed. Hence I hold that the termination of the services of Shri Shriman Narain was unjustified

and he is entitled for reinstatement on the same terms and conditions with full back wages. I answer this reference while returning the award in these terms.

Dated the 9th January, 1980.

GURMESH PARKASH,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endorsement No. 50, dated 9th January, 1980.

Forwarded, (four copies), to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

GURMESH PARKASH,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

The 23rd January, 1980

No. 11(112)-3Lab-79/964.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad/Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Fabex International, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 244 of 1978

between

SMT. VEENA MALHOTRA, WORKMAN AND THE MANAGEMENT OF M/S FABEX
INTERNATIONAL, SECTOR-27, FARIDABAD

Present: —

Shri P. K. D. for the workman.

Sri Tirath Singh for the management.

AWARD

1. By order No. ID/33474, dated 18th July, 1979, the Governor of Haryana referred the following dispute between the management of M/s Fabex International, Sector 27, Faridabad and its workman Smt. Veena Malhotra, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947. —

Whether the termination of services of Smt. Veena Malhotra was justified and in order? If not, to what relief is she entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 17th March, 1979 :—

- (1) Whether the worker lady left her job of her own?
- (2) Whether the termination of services of the worker lady was justified and in order?
- (3) Relief.

And the case was fixed for the evidence of the management. The management examined their Manager Administration Shri Tirath Singh, as MW-I and closed their case. Then the case was fixed for the evidence of the workman. On 3rd July, 1979, the evidence of the workman was present but the representative for the management was not in a position to cross-examine the witness for the workman. The case was then adjourned on prayer of the management, with costs, for the evidence of the workman. The workman obtained two adjournments and thereafter there were some negotiations for settlement. Two adjournments were obtained for settlement but it was not arrived at. And on the date fixed, the representative for the workman withdrew from the reference. I, therefore, give my award that there is no dispute between the parties.

NATHU RAM SHARMA,

Dated the 10th January, 1980.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 41, dated 15th January, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11 (112)-3 Lab-79/970.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. Telesound India Limited, Ballabgarh:—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 192 of 1977

between

SHRI D. P. CHOWDHARY, WORKMAN AND THE MANAGEMENT OF M/S. TELESOUND
INDIA LIMITED, BALLABGARH.

Present:

Shri K. L. Sharma, for the workman.

Shri H. P. Vaid, for the receiver.

AWARD

1. By order No. ID/FD/316-C-76/46910, dated 27th October, 1977, the Governor of Haryana referred the following dispute between the management of M/s. Telesound India Limited, Ballabgarh, and its workman Shri D. P. Chowdhary, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri D. P. Chowdhary was justified and in order ? If not, to what relief is he entitled ?

2. On receipt of the order of reference, notices were issued to the parties. The workman appeared but the management did not appear. Factory of the management was lying closed. The workman moved an application for adding the receiver appointed by the Hon'ble the High Court, to be made a party. Notice was issued to the receiver. Several time notice was not served on the receiver. At last the receiver appeared and obtained the copy of demand notice and claim statement. The receiver filed reply and raised an objection under section 446 of the Companies Act that the proceedings cannot be continued except by leave of the liquidating court which is the Hon'ble the High Court, Delhi. Arguments of the receiver were heard. The representative for the workman obtained several adjournments for addressing arguments and lastly neither the workman appeared, nor his representative. I have considered the arguments of the receiver appointed as liquidator by the Hon'ble the High Court of Delhi. I am of the view that the case cannot continue except by leave of the Hon'ble the High Court of Delhi. I, therefore, give my award that the management has gone in liquidation and the reference cannot continue except thru the leave of the Hon'ble the Delhi High Court which the workman did not obtain.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 10th January, 1980.

Endorsement No. 35, dated the 15th January, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

H. L. GUGNANI, S.cy.

HOME (POLICE) DEPARTMENT

The 29th January, 1980

No. 753:SA(4).—Subject to the approval of the Haryana Public Service Commission, Shri Mehar Chand Sethi, Dy. Suptt. (Office), whose seniority was re-fixed,—vide this office order No. 23096/SA (4), dated 18th December, 1979, was promoted to the rank of officiating Superintendent (Office) 'A' Grade, in the pay scale of Rs. 500-30-650/30-800/50-850, with effect from 20th July, 1979 (A. N.), the date on which his junior Shri Gursharan Singh Muttoo was so promoted, and was posted to CPO/Haryana, where he took over charge of his duties on the forenoon of 25th January, 1980 (.) However, he was not allowed arrears of pay and allowances from 20th July, 1979 (A.N.), but was allowed the same from the date he took over charge of the new post (.)

The 8th February, 1980

No. 1068/SA-2. Leave (.).—The Governor of Haryana was pleased to grant 114 days earned leave from 23rd August, 1979 to 14th December, 1979 with permission to suffix 15th and 16th December, 1979 which were Gazetted holidays, under rule 8.116 of the Punjab C.S.R. Vol. I, Part-I to Shri Chatter Singh, Dy. Superintendent of Police, Home Guards, Haryana, Chandigarh. On the expiry of leave, he returned to the same post carrying same pay and allowances on the forenoon of 17th December, 1979.

P. C. WADHWA,

Joint Secretary.

GENERAL ADMINISTRATION (SERVICES)

The 6th February, 1980

No. 50/5:80-S.—In exercise of the powers conferred by section 21 of the Code of Criminal Procedure, 1973, the Governor of Haryana hereby appoints Shri Radhey Shiam Vatsa, HCS, Land Acquisition Officer, P.W. (B&R) Ambala as special Executive Magistrate for the whole of the State of Haryana. He will exercise the powers under sections 129 and 144 of the Code of Criminal Procedure, 1973, for a period of one year or till he holds the post of Land Acquisition Officer, P.W. (B&R) Ambala whichever is earlier.

R. D. GARG,

Deputy Secretary.